

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**CARLTON CHASE, ERIC  
MACCARTNEY, and LUANNE  
MUELLER**, individually and on behalf of all  
others,

Plaintiffs,

v.

**GORDON, AYLWORTH, & TAMI, P.C.,  
and VISION INVESTIGATIVE  
SERVICE, LLC**,

Defendants.

Case No. 3-18-cv-0568-AC

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATION**

**Michael H. Simon, District Judge.**

U.S. Magistrate Judge John Acosta issued Findings and Recommendation in this case on February 14, 2020. ECF 52. Judge Acosta recommended that the Court deny the portion of Defendants’ motion to dismiss (ECF 19) asserting anti-SLAPP arguments against Plaintiffs’ state law claims. The rest of the arguments in Defendants’ motion have already been denied. ECF 43. No party has filed an objection.

Under the Federal Magistrates Act (“Act”), the Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C.

§ 636(b)(1). If a party files an objection to a magistrate judge’s findings and recommendations, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.*; Fed. R. Civ. P. 72(b)(3).

Although review is not required in the absence of objections, the Act “does not preclude further review by the district judge[] *sua sponte* . . . under a *de novo* or any other standard.” *Thomas*, 474 U.S. at 154. Indeed, the Advisory Committee Notes to Fed. R. Civ. P. 72(b) recommend that “[w]hen no timely objection is filed,” the court review the magistrate judge’s findings and recommendations for “clear error on the face of the record.”

No party having made objections, this Court follows the recommendation of the Advisory Committee and reviews Magistrate Judge Acosta’s Findings and Recommendation for clear error on the face of the record. No such error is apparent. Accordingly, the Court **ADOPTS** Magistrate Judge Acosta’s Findings and Recommendation, ECF 52. Defendants’ Motion to Dismiss (ECF 19) is DENIED in full.

**IT IS SO ORDERED.**

DATED this 14th day of July, 2020.

/s/ Michael H. Simon  
Michael H. Simon  
United States District Judge